

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

JAY ROSSI,

Plaintiff,

v.

GENERAL NUTRITION CORPORATION
and GRENADE USA, LLC,

Defendants.

No. 1:19-cv-01417

Honorable Manish S. Shah

**PLAINTIFF JAY ROSSI'S SUPPLEMENTAL STATUS REPORT TO THE COURT
REGARDING DEFENDANT GRENADE USA, LLC**

Now Comes the Plaintiff, JAY ROSSI, and submits the following Supplemental Status Report Regarding Defendant GRENADE USA, LLC (“Grenade USA”):

Introduction

1. As a recap to Plaintiff's prior Status Report (Dkt. 15), on March 15, 2019, Grenade USA was served with the original Complaint. Dkt. 7.¹
2. Grenade USA, however, did not answer the original Complaint.
3. On May 22, 2019, Plaintiff filed a First Amended Complaint (“FAC”). Dkt. 10.
4. On June 11, 2019, Plaintiff emailed copies of the original Complaint (dkt. 1), Proof of Service (dkt. 7) and First Amended Complaint (dkt. 10) to emails listed on Grenade USA's website. Plaintiff also submitted the same documents via Grenade USA's website contact page.
5. On June 18, 2019, Plaintiff's counsel was contacted via email by Arthur Liederman, of Morrison Mahoney LLP, wherein Mr. Liederman indicated that he was “act[ing] for Grenade's

¹ Plaintiff served Grenade USA at the address of its registered agent, 815 Reservoir Ave, Ste. 1A Cranston, Rhode Island, 02910. “Affidavit of Non-Service” resulted from this attempted service. The Affidavit of Non-Service completed by Constable Ashely Waddington states that the process server was informed that “[a]ll document must be served to Grenade USA LLC 874 Walker Road, Suite C, Dover, DE 19904.” Dkt. 7.

insurers on this matter.” Thereafter, Mr. Liederman and the undersigned discussed the status of service on Grenade USA.

6. On June 18, 2019 and 11:55 a.m. Eastern time, Grenade USA was served with the First Amended Complaint. Dkt. 20.

7. Pursuant to Docket Entry no. 20, Grenade USA’s answer was due on July 9, 2019.

8. Since first contacting the undersigned, Mr. Liederman and the undersigned have had detailed discussions regarding the merits, including the possible resolution of this case. Plaintiff has made a formal demand as a result of these arm’s length discussion.

Status of Grenade USA’s Answer

9. Mr. Liederman is not a member of the Northern District of Illinois Bar.

10. Mr. Liederman has represented to the undersigned that his he intends to hire local counsel and answer the complaint on behalf of Grenade USA, but has indicated that he needs additional time to complete these two tasks in light of prior work commitments and a planned vacation. Plaintiff has consented to Mr. Liederman’s reasonable request.

11. Plaintiff and Mr. Liederman have agreed that Grenade USA will answer the Complaint by August 12, 2019.

12. Because of Mr. Liederman other work obligations prior to his vacation, and because of the possibility of Plaintiff’s claims being resolved against Grenade USA prior to the proposed answer date, from a cost standpoint, Mr. Liederman has not engaged local counsel at this time.

13. Out of abundance of caution, the undersigned and Mr. Liederman desire to inform the Court of their above described agreement as to the answer due date to avoid the clerk of the court entering a technical default.²

14. If the Court desires a firm date by which GrenadeUSA should appear, prior to August 12, Plaintiff's counsel will forward any minute order to this Court.

Dated: July 22, 2019

Counsel for Plaintiff, Jay Rossi

/s/ James C. Vlahakis
James C. Vlahakis
Sulaiman Law Group, Ltd.
2500 South Highland Avenue, Suite 200
Lombard, Illinois 60148
630-575-8181 Fax: 630-575-8188
Email: jvlahakis@sulaimanlaw.com

² A draft copy of this submission was approved by Mr. Liederman.

Certificate of Service

The undersigned, attorney for Plaintiff, further certifies that on July 22, 2019, he caused the foregoing Supplemental Status Report to be electronically filed with the Clerk of the United States District Court for the Northern District of Illinois using the CM/ECF system, which will send notification of such filing to all parties that have appeared in this action.

/s/ James C. Vlahakis
James C. Vlahakis

Alternative Certificate of Service For Grenade USA, LLC

The undersigned, attorney for Plaintiff, further certifies that on July 22, 2019, he caused a copy of the foregoing Supplemental Joint Initial Status Report to be served via email on:

Arthur J. Liederman
Morrison Mahoney LLP
Wall Street Plaza
88 Pine Street, Suite 1900
New York, NY 10005
alielman@morrisonmahoney.com

/s/ James C. Vlahakis
James C. Vlahakis